

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

---

*In re:*

**PHILIP JAY BERG**

---

:  
:  
:  
:  
:  
:

**CIVIL NO. 09-2803**

**ORDER**

**AND NOW**, this 4th day of March, 2010, upon consideration of the record, the Court notes that no brief has been filed by Appellant since the commencement of the above-captioned case on June 22, 2009. Pursuant to Bankruptcy Rule 8009(a), Appellant was required to file a brief within ten (10) days.<sup>1</sup> Appellant must show cause within five (5) days of the date of this Order why the Court should not dismiss this appeal for failure to follow the relevant rules.

It is so **ORDERED**.

**BY THE COURT:**

/s/ Cynthia M. Rufe

---

**CYNTHIA M. RUFE, J.**

---

<sup>1</sup>At the time of filing of this appeal, the rule stated, in relevant part:

(a) Briefs. Unless the district court or the bankruptcy appellate panel by local rule or by order excuses the filing of briefs or specifies different time limits:

(1) The appellant shall serve and file a brief within 10 days after entry of the appeal on the docket pursuant to Rule 8007.” U.S.C.S. BANKRUPTCY R 8009(a) (1987).